IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.	10/603,443
Applicant:	Robert G. Combs
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Title:	DATA COLLECTION AND RECORDING SYSTEM
Art Unit:	2621
Examiner:	Heather Rae Jones
Confirmation Number:	4374
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HONORABLE COMMISSIONER OF PATENTS

Alexandria, VA 22313-1450

DECLARATION UNDER 37 CFR § 1.132

In response to the Office Action dated February 23, 2010, I, Robert G. Combs, do hereby declare and say as follows:

BACKGROUND INFORMATION

1. I am the sole inventor of the claims in the present application.

2. I have a Bachelor of Science degree in Mechanical Engineering Technology from Texas A&M University.

3. I am the founder and president of RapidToll Systems, Inc.

4. I have worked in the field of electronic tolling collection systems for 13 years.

5. I have worked in the fields of transportation, aerospace, and automated controls for over 23 years.

THE APPLICATION

6. I have read and understand the above-referenced patent application, including the specification and claims as currently amended, and the relevant prior art, namely U.S. Patent No.

6,647,361 to Laird *et al.* (hereafter "Laird"), U.S. Patent No. 6,332,147 to Moran *et al.* (hereafter "Moran"), and U.S. Patent No. 5,809,161 to Auty *et al.* (hereafter "Auty").

7. The standard I used for obviousness is whether the claims would have been obvious to a person of ordinary skill in the art in light of the references cited.

8. My system of claim 1 is a testing system for an automated system. The automated system is operable in the absence of the testing system and is not part of the testing system. The testing system collects data from the automated system typically without affecting operation of the automated system. The collected data may then be reviewed by a user of the testing system to determine whether the automated system is operating properly.

9. My method of claim 15 is a method of testing and evaluating an automated system.

10. I have worked in the tolling industry for many years and am very familiar with automated violation enforcement using video cameras. I have worked with numerous devices that are similar to Laird's device.

11. My claimed system is commonly used during the test and acceptance phase of projects that develop devices similar to Laird's device. The fact that my claimed system preferably accommodates the signals and messages that other systems use does not make it obvious in view of those systems.

12. My claimed system is not a copy or a potential replacement for Laird's device. My claimed system is preferably installed, often on a temporary basis, to monitor and record the inputs and outputs of the device being tested, such as Laird's device, to allow a detailed study of its operation and allow troubleshooting of problems.

13. Laird's system is a traffic light prediction and recording system for an intersection with an automated traffic light system.

14. Laird does not teach or suggest a testing system for the automated traffic light system or any other automated system or a method of testing and evaluating an automated system.

15. Laird's system collects video data of an intersection with a stoplight and digital data from the light control box.

16. Laird does not teach or suggest a multi-port serial port expansion card for sensing and collecting serial digital communication messages between the subsystems as serial data.

17. Laird does not teach or suggest regenerating discrete digital signals from digital data and supplying the discrete digital signals as inputs to the automated system which generated them originally or evaluating a response by the automated system to the inputs.

18. Moran's system is a single automated electronic recording and playback system.

19. Moran does not teach or suggest a testing system for testing an automated system or a method of testing and evaluating an automated system.

20. Moran's system collects and records audio, video, and electronic file manipulations by participants in a meeting.

21. Moran does not teach or suggest a multi-port serial port expansion card for sensing and collecting serial digital communication messages between the subsystems as serial data.

22. Moran does not teach or suggest regenerating discrete digital signals from digital data and supplying the discrete digital signals as inputs to an automated system which generated them originally or evaluating a response by the automated system to the inputs.

23. Auty's system is a single video data acquisition, recordation, and analysis system.

24. Auty does not teach or suggest a testing system for testing an automated system or a method of testing and evaluating an automated system.

25. Auty's system collects only video data.

26. Auty does not teach or suggest a multi-port serial port expansion card for sensing and collecting serial digital communication messages between the subsystems as serial data.

27. Auty does not teach or suggest regenerating discrete digital signals from digital data and supplying the discrete digital signals as inputs to an automated system which generated them originally or evaluating a response by the automated system to the inputs.

CONCLUSION

Based on the above analysis, I conclude that, as amended, the claims in the present patent application are not anticipated by or obvious over the references cited by the Examiner.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 7-23-2010 By: _____
Robert G. Combs